

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 427
95TH GENERAL ASSEMBLY

Reported from the Committee on Veterans' Affairs, Pensions and Urban Affairs, April 23, 2009, with recommendation that the Senate Committee Substitute do pass.

1350S.09C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal sections 41.150, 42.007, 173.234, 301.451, and 452.412, RSMo, and to enact in lieu thereof twelve new sections relating to members of the military and their families.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 41.150, 42.007, 173.234, 301.451, and 452.412, RSMo, are repealed and twelve new sections enacted in lieu thereof, to be known as sections 9.074, 41.150, 42.007, 115.278, 173.234, 173.1155, 194.360, 227.297, 227.311, 301.451, 304.840, and 452.412, to read as follows:

9.074. May first of every year shall be known and designated as "Silver Star Families of America Day". It shall be a day on which to honor the wounded soldiers of this state and the efforts of the Silver Star Families of America to honor the wounded members of the United States armed forces. The Silver Star Families of America has worked tirelessly since its inception to distribute silver star banners, flags, and care packages to wounded service members and their families to ensure that the people of this state and nation remember the blood sacrifice made by those service members.

41.150. The adjutant general may assign [two] **the number of** assistant adjutants general [in the grade of brigadier general or below, one] **that are authorized by National Guard Bureau rules and regulations** from the ground forces and [the other from] the air forces of this state[however, general officers of the line federally recognized in the grade of major general may be

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

6 reassigned as a state assistant adjutant general without change in grade or
7 branch]. **The assistant adjutants general shall, if they qualify therefore,**
8 **hold military rank as may be authorized and approved for the positions**
9 **by the National Guard Bureau of the United States.** The assistant
10 adjutants general, at the time of their appointment, shall have not less than ten
11 years of military service as a commissioned officer with the military forces of this
12 state, another state or territory, the District of Columbia or the United States, or
13 in any or all such services combined, five years of the service being in field
14 grade. The assistant adjutants general shall serve at the pleasure of the adjutant
15 general and perform such duties as are assigned by the adjutant general. During
16 any period when the adjutant general is unable to perform such duties, the senior
17 assistant adjutant general may, under the direction of the governor, perform the
18 duties of the adjutant general.

42.007. 1. There is hereby established within the department of public
2 safety the "Missouri Veterans' Commission", such commission to be a type III
3 agency within the department of public safety under the Omnibus State
4 Reorganization Act of 1974. All duties and activities carried on by the division
5 of veterans' affairs on August 28, 1989, shall be vested in such commission as
6 provided by the Omnibus Reorganization Act of 1974.

7 2. The commission shall be composed of **nine members. Two members**
8 **shall be members of the senate, one appointed by the president pro tem**
9 **of the senate and one appointed by the senate minority floor leader,**
10 **two members shall be members of the house of representatives, one**
11 **appointed by the speaker of the house of representatives and one**
12 **appointed by the house minority floor leader. Members appointed from**
13 **the house of representatives and the senate shall be appointed for a**
14 **two-year term or until a successor is appointed and may be reappointed**
15 **to the commission.** Five members, who shall be veterans appointed by the
16 governor, with the advice and consent of the senate, for a four-year term; except
17 that initial appointments to the commission shall consist of two veterans to serve
18 four-year terms, two veterans to serve three-year terms, and one veteran to serve
19 a two-year term. In addition, the chair of the Missouri military preparedness and
20 enhancement commission or the chair's designee shall be an ex officio member of
21 the commission.

22 3. The governor shall make [all] appointments to the commission from
23 lists of nominees recommended by each of the statewide veterans' organizations

24 incorporated in this state, chartered by Congress, or authorized under Title 38,
25 United States Code. Vacancies shall be filled by appointment made in the same
26 manner as the original appointments. A member of the commission, **not a**
27 **member of the senate or house of representatives**, shall be a resident of
28 the state of Missouri but shall not be an employee of the state. Members of the
29 commission shall not be compensated for their services, but shall be reimbursed
30 from funds appropriated therefor for actual and necessary expenses incurred in
31 the performance of their duties.

32 4. The commission shall organize by electing one member as chairman
33 and another as vice chairman. Such officers shall serve for a term of two
34 years. The commission shall meet no fewer than four times per calendar year, at
35 the call of the chairman, and at times and places established by the chairman by
36 written notice. The commission's executive director shall serve as secretary to the
37 commission.

38 5. The commission shall aid and assist all veterans and their dependents
39 and legal representatives, who are legal Missouri residents or who live in the
40 state of Missouri, in all matters relating to the rights of veterans under the laws
41 of the United States and under the rules and regulations of federal agencies,
42 boards, commissions and other authorities which are in any manner concerned
43 with the interest and welfare of veterans and their dependents. In addition to
44 any other duties imposed by sections 42.002 to 42.135 and [section] **sections**
45 **143.1001, and 173.234**, RSMo, the commission shall:

46 (1) Disseminate by all means available information concerning the rights
47 of veterans and their dependents;

48 (2) Provide aid and assistance to all veterans, their dependents and legal
49 representatives, in preparing, presenting and prosecuting claims for
50 compensation, education, pensions, insurance benefits, hospitalization,
51 rehabilitation and all other matters in which a veteran may have a claim against
52 the United States or any state arising out of or connected with service in the
53 military forces of the United States;

54 (3) Prosecute all claims listed in subdivision (2) of this subsection to
55 conclusion, when so authorized and empowered by a veteran, his survivors or
56 legal representatives;

57 (4) Cooperate with the United States Employment Service, the United
58 States Department of Veterans' Affairs and all federal and state offices legally
59 concerned with and interested in the welfare of veterans and their dependents;

60 (5) Arrange for and accept through such mutual arrangements as may be
61 made the volunteer services, equipment, facilities, properties, supplies, funds and
62 personnel of all federal, welfare, civic and service organizations, and other
63 organized groups and individuals which are in furtherance of the purposes of
64 sections 42.002 to 42.135 and section 143.1001, RSMo;

65 (6) Volunteers shall be deemed unpaid employees and shall be accorded
66 the protection of the legal expense fund and liability provisions. Reimbursement
67 for transportation and other necessary expenses may be furnished to those
68 volunteers whose presence on special assignment is determined to be necessary
69 by the commission. Such expenses shall be reimbursed from the regular
70 appropriations of the commission. Volunteers may utilize state vehicles in the
71 performance of commission-related duties, subject to those rules and regulations
72 governing use of state vehicles by paid staff;

73 (7) Establish, maintain and operate offices throughout this state as
74 necessary to carry out the purposes of sections 42.002 to 42.135 and section
75 143.1001, RSMo;

76 (8) Provide to the executive director of the commission all appropriate
77 authority for the execution of the duties of the commission under this chapter;

78 (9) Employ such staff as necessary for performance of the duties and
79 purposes of this chapter.

80 **6. The commission shall make all rules and regulations necessary**
81 **for the management and administration of its veteran service programs**
82 **and cemeteries. All rules and regulations shall be consistent with the**
83 **provisions of sections 42.002 to 42.135, and sections 143.1001 and**
84 **173.234, RSMo. Any rule or portion of a rule, as that term is defined in**
85 **section 536.010, RSMo, that is created under the authority delegated in**
86 **this subsection shall become effective only if it complies with and is**
87 **subject to all provisions of chapter 536, RSMo, and, if applicable,**
88 **section 536.028, RSMo. This section and chapter 536, RSMo, are**
89 **nonseverable and if any of the powers vested with the general assembly**
90 **pursuant to chapter 536, RSMo, to review, to delay the effective date,**
91 **or to disapprove and annul a rule are subsequently held**
92 **unconstitutional, then the grant of rulemaking authority and any rule**
93 **proposed or adopted after August 28, 2009, shall be invalid and void.**

115.278. 1. As used in this section, "overseas voter" means any
2 permanent resident of this state who is temporarily residing outside of

3 the territorial limits of the United States and the District of Columbia,
4 who is a qualified voter, and who is:

5 (1) A member of the armed services of the United States, or an
6 eligible spouse or dependent of such member; or

7 (2) A member of the merchant marines of the United States, or
8 an eligible spouse or dependent of such member; or

9 (3) Any other citizen of the United States who is covered under
10 the federal Uniformed and Overseas Citizens Absentee Voting Act, as
11 amended.

12 2. The secretary of state shall establish a program and
13 procedures to allow any overseas voter to receive and cast an absentee
14 ballot using the Internet. The secretary of state shall consider software
15 programs that are based on open source platforms, shall provide
16 support to any local election authority participating in the program,
17 shall provide adequate voter education information to overseas voters,
18 and shall include funding from alternative sources for such program,
19 including making available to local election authorities federal funds
20 provided to the state under the federal Help America Vote Act of 2002,
21 as amended. The secretary of state shall also consider phased
22 implementation of the program, and such phased implementation shall
23 begin no later than June 30, 2010, and shall be fully implemented by
24 January 1, 2012. Any program or software program chosen shall be
25 secure and shall protect the secrecy of the ballot. No provision in this
26 chapter relating to requirements for automated voting systems shall
27 apply to any program established under this section.

173.234. 1. As used in this section, unless the context clearly requires
2 otherwise, the following terms mean:

3 (1) "Board", the coordinating board for higher education;

4 (2) "Books", any books required for any course for which tuition was paid
5 by a grant awarded under this section;

6 (3) "Eligible student", the natural, adopted, or stepchild of a
7 qualifying military member, who is less than twenty-five years of age
8 and who was a dependent of a qualifying military member at the time
9 of death or injury, or the spouse of a qualifying military member which
10 was the spouse of a veteran at the time of death or injury;

11 (4) "Grant", the [war] veteran's survivors grant as established in this
12 section;

13 [(4)] (5) "Institution of postsecondary education", any approved Missouri
14 public institution of postsecondary education, as defined in **subdivision (3) of**
15 section [173.205] **173.1102**;

16 (6) **"Qualifying military member", any member of the military of**
17 **the United States, whether active duty, reserve, or national guard, who**
18 **served in the military after September 11, 2001, during time of war and**
19 **for whom the following criteria apply:**

20 (a) **A veteran was a Missouri resident when first entering the**
21 **military service or at the time of death or injury;**

22 (b) **A veteran died or was injured as a result of combat action or**
23 **a veteran's death or injury was certified by the Department of Veterans'**
24 **Affairs medical authority to be attributable to an illness or accident**
25 **that occurred while serving in combat, or became eighty percent**
26 **disabled as a result of injuries or accidents sustained in combat action**
27 **after September 11, 2001; and**

28 (c) **"Combat veteran", a Missouri resident who is discharged for**
29 **active duty service having served since September 11, 2001, and**
30 **received a DD214 in a geographic area entitled to receive combat pay**
31 **tax exclusion exemption, hazardous duty pay, or imminent danger pay,**
32 **or hostile fire pay;**

33 [(5)] (7) **"Survivor", [a child or spouse of a war veteran] an eligible**
34 **student of a qualifying military member;**

35 [(6)] (8) **"Tuition", any tuition or incidental fee, or both, charged by an**
36 **institution of postsecondary education for attendance at the institution by a**
37 **student as a resident of this state. The tuition grant shall not exceed the amount**
38 **of tuition charged a Missouri resident at the University of Missouri-Columbia for**
39 **attendance[;**

40 (7) **"War veteran", a person who served in armed combat in the military**
41 **and to whom the following criteria shall apply:**

42 (a) **The veteran was a Missouri resident when first entering the military**
43 **service and at the time of death or injury; and**

44 (b) **The veteran dies as a result of combat action or the veteran's death**
45 **was certified by a Veterans' Administration medical authority to be attributable**
46 **to an illness that was contracted while serving in combat, or who became eighty**
47 **percent disabled as a result of injuries or accidents sustained in combat action].**

48 2. Within the limits of the amounts appropriated therefor, the

49 coordinating board for higher education shall award annually up to twenty-five
50 grants to survivors of [war veterans] **qualifying military members** to attend
51 institutions of postsecondary education in this state, which shall continue to be
52 awarded annually to eligible recipients as long as the recipient achieves and
53 maintains a cumulative grade point average of at least two and one-half on a
54 four-point scale, or its equivalent. If the waiting list of eligible survivors exceeds
55 fifty, the coordinating board may petition the general assembly to expand the
56 quota. If the quota is not expanded, then the eligibility of survivors on the
57 waiting list shall be extended.

58 3. A survivor may receive a grant under this section only so long as the
59 survivor is enrolled in a program leading to a certificate, or an associate or
60 baccalaureate degree. In no event shall a survivor receive a grant beyond the
61 completion of the first baccalaureate degree, regardless of age.

62 4. The coordinating board for higher education shall:

63 (1) Promulgate all necessary rules and regulations for the implementation
64 of this section; and

65 (2) Provide the forms and determine the procedures necessary for a
66 survivor to apply for and receive a grant under this section.

67 5. Any rule or portion of a rule, as that term is defined in section 536.010,
68 RSMo, that is created under the authority delegated in this section shall become
69 effective only if it complies with and is subject to all of the provisions of chapter
70 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter
71 536, RSMo, are nonseverable and if any of the powers vested with the general
72 assembly pursuant to chapter 536, RSMo, to review, to delay the effective date,
73 or to disapprove and annul a rule are subsequently held unconstitutional, then
74 the grant of rulemaking authority and any rule proposed or adopted after August
75 28, 2008, shall be invalid and void.

76 6. In order to be eligible to receive a grant under this section, a survivor
77 shall be certified as eligible by the Missouri veterans' commission. [In the case
78 of an illness-related death, such certification shall be made upon qualified
79 medical certification by a Veterans' Administration medical authority that the
80 illness was both a direct result of the veteran's combat service and a substantial
81 factor in the cause of the resulting death of the veteran.]

82 7. A survivor who is enrolled or has been accepted for enrollment as an
83 undergraduate postsecondary student at an approved institution of postsecondary
84 education, and who is selected to receive a grant under this section, shall receive

85 the following:

86 (1) An amount not to exceed the actual tuition charged at the approved
87 institution of postsecondary education where the survivor is enrolled or accepted
88 for enrollment;

89 (2) An allowance of up to two thousand dollars per semester for room and
90 board; and

91 (3) The actual cost of books, up to a maximum of five hundred dollars per
92 semester.

93 8. A survivor who is a recipient of a grant may transfer from one approved
94 public institution of postsecondary education to another without losing his or her
95 entitlement under this section. The board shall make necessary adjustments in
96 the amount of the grant. If a grant recipient at any time withdraws from the
97 institution of postsecondary education so that under the rules and regulations of
98 that institution he or she is entitled to a refund of any tuition, fees, room and
99 board, books, or other charges, the institution shall pay the portion of the refund
100 to which he or she is entitled attributable to the grant for that semester or
101 similar grading period to the board.

102 9. If a survivor is granted financial assistance under any other student
103 aid program, public or private, the full amount of such aid shall be reported to
104 the board by the institution and the eligible survivor.

105 10. Nothing in this section shall be construed as a promise or guarantee
106 that a person will be admitted to an institution of postsecondary education or to
107 a particular institution of postsecondary education, will be allowed to continue to
108 attend an institution of postsecondary education after having been admitted, or
109 will be graduated from an institution of postsecondary education.

110 11. The benefits conferred by this section shall be available to any
111 academically [qualified surviving spouse or children of war veterans] **eligible**
112 **student of a qualifying military member**. Surviving children who are
113 eligible shall be permitted to apply for full benefits conferred by this section until
114 they reach twenty-five years of age.

115 12. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

116 (1) The provisions of the new program authorized under this section shall
117 sunset automatically six years after August 28, 2008, unless reauthorized by an
118 act of the general assembly; and

119 (2) If such program is reauthorized, the program authorized under this
120 section shall sunset automatically twelve years after the effective date of the

121 reauthorization of this section; and

122 (3) This section shall terminate on September first of the calendar year
123 immediately following the calendar year in which the program authorized under
124 this section is sunset.

173.1155. Notwithstanding any other provision of law, all
2 dependents, as defined by 37 U.S.C. Section 401, of active duty military
3 personnel, or activated or temporarily mobilized reservists or guard
4 members, assigned to a permanent duty station or workplace
5 geographically located in this state, who reside in this state, shall be
6 deemed to be domiciled in this state for purposes of eligibility for in-
7 state tuition and shall be eligible to receive in-state tuition at public
8 institutions of higher education in this state. All such dependents shall
9 be afforded the same educational benefits as any other individual
10 receiving in-state tuition so long as he or she is continuously enrolled
11 in an undergraduate or graduate degree program of an institution of
12 higher education in Missouri, or transferring between Missouri
13 institutions of higher education or from an undergraduate degree
14 program to a graduate degree program.

194.360. 1. As used in this section the following terms shall
2 mean:

3 (1) "Funeral establishment", as defined in section 333.011, RSMo,
4 a funeral home, a funeral director, an embalmer, or an employee of any
5 of the individuals or entities;

6 (2) "Veterans' service organization", an association or other
7 entity organized for the benefit of veterans that has been recognized or
8 chartered by the United States congress, including the disabled
9 American veterans, veterans of foreign wars, the American legion, the
10 legion of honor, the missing in America project, and the Vietnam
11 veterans of America. The term includes a member or employee of any
12 of those associations or entities.

13 2. A funeral establishment is not liable for simple negligence in
14 the disposition of the cremated remains of a veteran to a veterans'
15 service organization for the purposes of internment by that
16 organization if:

17 (1) The remains have been in the possession of the funeral
18 establishment for a period of at least one year, all or any part of which
19 period may occur or may have occurred before or after August 28, 2009;

20 (2) The funeral establishment has given notice, as provided in
21 subdivision (1) or (2) of subsection 3 of this section, to the person
22 entitled to the remains under section 194.350 of the matters provided
23 in subsection 4 of this section; and

24 (3) The remains have not been claimed by the person entitled to
25 the remains under section 194.350 within the period of time provided
26 for in subsection 4 of this section following notice to the person
27 entitled to the remains under section 194.350.

28 3. In order for the immunity provided in subsection 2 of this
29 section to apply, a funeral establishment shall take the following
30 action, alone or in conjunction with a veterans' service organization,
31 to provide notice to the person entitled to the remains under section
32 194.350:

33 (1) Give written notice by mail to the person entitled to the
34 remains under section 194.350 for whom the address of the person
35 entitled to the remains under section 194.350 is known or can
36 reasonably be ascertained by the funeral establishment giving the
37 notice; or

38 (2) If the address of the person entitled to the remains under
39 section 194.350 is not known or cannot reasonably be ascertained, give
40 notice to the person entitled to the remains under section 194.350 by
41 publication in a newspaper of general circulation:

42 (a) In the county of the veterans' residence; or

43 (b) If the residence of the veteran is unknown, in the county in
44 which the veteran died; or

45 (c) If the county in which the veteran died is unknown, in the
46 county in which the funeral establishment giving notice is located.

47 4. The notice required by subsection 3 of this section must
48 include a statement to the effect that the remains of the veteran must
49 be claimed by the person entitled to the remains under section 194.350
50 within thirty days after the date of mailing of the written notice
51 provided for in subdivision (1) of subsection 3 of this section or within
52 four months of the date of the first publication of the notice provided
53 for in subdivision (2) of subsection 3 of this section, as applicable, and
54 that if the remains are not claimed, the remains may be given to a
55 veterans' service organization for interment.

56 5. A veterans' service organization receiving cremated remains

57 of a veteran from a funeral establishment for the purposes of
58 internment is not liable for simple negligence in the custody or
59 internment of the remains if the veterans' service organization inters
60 and does not scatter the remains and does not know and has no reason
61 to know that the remains do not satisfy the requirements of subdivision
62 (1) or (2) of subsection 3 of this section, as applicable.

63 6. A veterans' service organization accepting remains under this
64 section shall take all reasonable steps to inter the remains in a
65 veterans' cemetery.

227.297. 1. This section establishes an interstate interchange
2 designation program, to be known as the "Heroes Way Interstate
3 Interchange Designation Program", to honor the fallen Missouri heroes
4 who have been killed in action while performing active military duty
5 with the armed forces in Afghanistan or Iraq on or after September 11,
6 2001. The signs shall be placed upon the interstate interchanges in
7 accordance with this section, and any applicable federal limitations or
8 conditions on highway signage, including location and spacing.

9 2. Any person who is related by marriage, adoption, or
10 consanguinity within the second degree to a member of the United
11 States armed forces who was killed in action while performing active
12 military duty with the armed forces in Afghanistan or Iraq on or after
13 September 11, 2001, and who was a resident of this state at the time he
14 or she was killed in action, may apply for an interstate interchange
15 designation under the provisions of this section.

16 3. Any person described under subsection 2 of this section who
17 desires to have an interstate interchange designated after his or her
18 family member shall petition the department of transportation by
19 submitting the following:

20 (1) An application in a form prescribed by the director,
21 describing the interstate interchange for which the designation is
22 sought and the proposed name of the interstate interchange. The
23 application shall include the name of at least one current member of
24 the general assembly who will sponsor the interstate interchange
25 designation. The application may contain written testimony for
26 support of the interstate interchange designation;

27 (2) Proof that the family member killed in action was a member
28 of the United States armed forces and proof that such family member

29 was in fact killed in action while performing active military duty with
30 the United States armed forces in Afghanistan or Iraq on or after
31 September 11, 2001. Acceptable proof shall be a statement from the
32 Missouri veterans commission or the United States Department of
33 Veterans Affairs so certifying such facts;

34 (3) By signing a form provided by the Missouri transportation
35 department, the applicant shall certify that the applicant is related by
36 marriage, adoption, or consanguinity within the second degree to the
37 member of the United States armed forces who was killed in action; and

38 (4) A fee to be determined by the commission to cover the costs
39 of constructing and maintaining the proposed interstate interchange
40 signs. The fee shall not exceed the cost of constructing and
41 maintaining each sign.

42 4. All moneys received by the department of transportation for
43 the construction and maintenance of an interstate interchange signs
44 shall be deposited in the state treasury to the credit of the state road
45 fund.

46 5. The documents and fees required under this section shall be
47 submitted to the department of transportation.

48 6. The department of transportation shall submit for approval or
49 disapproval all applications for interstate interchange designations to
50 the joint committee on transportation oversight. The joint committee
51 on transportation oversight may review such applications at any
52 scheduled meeting convened pursuant to section 21.795, RSMo. If
53 satisfied with the application and all its contents, the committee shall
54 approve the application. The committee shall notify the department of
55 transportation upon the approval or denial of an application for an
56 interstate interchange designation.

57 7. The department of transportation shall give notice of any
58 proposed interstate interchange designation under this section in a
59 manner reasonably calculated to advise the public of such
60 proposal. Reasonable notice shall include posting the proposal for the
61 designation on the department's official public website and making
62 available copies of the sign designation application to any
63 representative of the news media or public upon request and posting
64 the application on a bulletin board or other prominent public place
65 which is easily accessible to the public and clearly designated for that

66 **purpose at the principal office.**

67 **8. If the memorial interstate interchange designation request is**
68 **not approved by the joint committee on transportation oversight,**
69 **ninety-seven percent of the application fee shall be refunded to the**
70 **applicant.**

71 **9. Two signs shall be erected for each interstate interchange**
72 **designation processed under this section.**

73 **10. No interstate interchange may be named or designated after**
74 **more than one member of the United States armed forces killed in**
75 **action. Such person shall only be eligible for one interstate**
76 **interchange designation under the provisions of this section.**

77 **11. Any highway signs erected for any interstate interchange**
78 **designation under the provisions of this section shall be erected and**
79 **maintained for a twenty-year period. After such period, the signs shall**
80 **be subject to removal by the department of transportation and the**
81 **interstate interchange may be designated to honor persons other than**
82 **the current designee. An existing interstate interchange designation**
83 **processed under the provisions of this section may be retained for**
84 **additional twenty-year increments if, at least one year before the**
85 **designation's expiration, an application to the department of**
86 **transportation is made to retain the designation along with the**
87 **required documents and all applicable fees required under this section.**

227.311. The portion of the Poplar Bluff bypass located in Butler
2 **County from highway 60 where it crosses over the Black River to**
3 **highway 67 where it crosses Missouri highway M, shall be designated**
4 **as the "Veterans Memorial Highway". The department of transportation**
5 **shall erect and maintain appropriate signs designating such highway,**
6 **with the costs for such designation to be paid for by private donations.**

301.451. Any person who has been awarded the purple heart medal may
2 **apply for special motor vehicle license plates for any vehicle he or she owns,**
3 **either solely or jointly, other than commercial vehicles weighing over twelve**
4 **thousand pounds. Any such person shall make application for the special license**
5 **plates on a form provided by the director of revenue and furnish such proof as a**
6 **recipient of the purple heart medal as the director may require. The director**
7 **shall then issue license plates bearing letters or numbers or a combination**
8 **thereof, with the words "PURPLE HEART" in place of the words "SHOW-ME**
9 **STATE" in a form prescribed by the advisory committee established in section**

10 301.129. Such license plates shall be made with fully reflective material with a
11 common color scheme and design, shall be clearly visible at night, and shall be
12 aesthetically attractive, as prescribed by section 301.130. **There shall be no fee**
13 **in addition to regular registration fees for the initial set of plates**
14 **issued to the applicant, however,** there shall be an additional fee charged for
15 each **subsequent** set of special purple heart license plates issued equal to the fee
16 charged for personalized license plates, but the additional fee shall only have to
17 be paid once by the qualified applicant at the time of initial application **for the**
18 **additional set of plates.** There shall be no limit on the number of license
19 plates any person qualified under this section may obtain so long as each set of
20 license plates issued under this section is issued for vehicles owned solely or
21 jointly by such person. License plates issued under the provisions of this section
22 shall not be transferable to any other person except that any registered co-owner
23 of the motor vehicle shall be entitled to operate the motor vehicle for the duration
24 of the year licensed in the event of the death of the qualified person.

304.840. 1. **A veteran displaying special license plates issued**
2 **under section 301.145, 301.443, 301.451, or 301.456, RSMo, or a veteran**
3 **who is a bronze star recipient who displays a placard issued under**
4 **subsection 2 of this section, may park his or her motor vehicle,**
5 **weighing not more than six thousand pounds gross weight, without**
6 **charge, in a metered parking space.**

7 2. **A veteran who has been awarded the military service award**
8 **known as the "Bronze Star" may apply to the director of revenue for a**
9 **removable windshield placard. Upon application, such veteran shall**
10 **present proof to the director of his or her receipt of such award. Such**
11 **placard shall be hung from the front, middle rearview mirror of a**
12 **parked motor vehicle and may not be hung from the mirror during**
13 **operation. When there is no rearview mirror, the placard shall be**
14 **displayed on the dashboard on the driver's side.**

15 3. **A local authority's compliance with this section is solely**
16 **contingent upon the approval of its governing body.**

17 4. **This section does not exempt a vehicle displaying special**
18 **license plates under section 301.145, 301.443, 301.451, or 301.456, RSMo,**
19 **or displaying a placard as provided in subsection 2 of this section, from**
20 **compliance with any other state law or ordinance, including, but not**
21 **limited to, vehicle height restrictions, zones that prohibit stopping,**

22 parking, or standing of all vehicles, parking time limitations, street
23 sweeping, restrictions of the parking space to a particular type of
24 vehicle, or the parking of a vehicle that is involved in the operation of
25 a street vending business.

26 5. This section does not authorize a vehicle displaying special
27 license plates under section 301.145, 301.443, 301.451, or 301.456, RSMo,
28 or displaying a placard as provided in subsection 2 of this section, to
29 park in a state parking facility that is designated only for state
30 employees.

31 6. This section does not authorize a vehicle displaying special
32 license plates under section 301.145, 301.443, 301.451, or 301.456, RSMo,
33 or displaying a placard as provided in subsection 2 of this section, to
34 park during time periods other than the normal business hours of, or
35 the maximum time allotted by, a state or local authority parking
36 facility.

37 7. This section does not require the state or a local authority to
38 designate specific parking spaces for vehicles displaying special license
39 plates under section 301.145, 301.443, 301.451, or 301.456, RSMo, or
40 displaying a placard as provided in subsection 2 of this section.

452.412. 1. A party's absence, relocation, or failure to comply with
2 custody and visitation orders shall not, by itself, be sufficient to justify a
3 modification of a custody or visitation order if the reason for the absence,
4 relocation, or failure to comply is the party's activation to military service and
5 deployment out-of-state.

6 2. For a party in active military service and deployed out-of-
7 state, any court order:

8 (1) Issued or modified regarding child custody or visitation
9 during the time of such out-of-state military deployment of the party,
10 including as part of an entry of decree of dissolution of marriage or
11 legal separation, shall be temporary in nature and shall not exceed the
12 length of time of such deployment;

13 (2) Issued regarding ex parte adult or child orders of protection
14 under sections 455.010 to 455.085, RSMo, or sections 455.500 to 455.538,
15 RSMo, during the time of such out-of-state military deployment of the
16 party, may be extended beyond the initial fifteen days required under
17 sections 455.040 and 455.516, RSMo. Such orders issued under this
18 subdivision shall be temporary in nature and shall not exceed the

19 length of time of such deployment.

20 Upon such party's return from out-of-state military deployment, the
21 party shall be given an opportunity to be heard on the child custody
22 and visitation order or ex parte order of protection prior to a
23 permanent order being entered by the court as to such issues. If the
24 party in active military service knowingly and voluntarily signs a
25 written waiver to the right to have such a hearing upon the party's
26 return from out-of-state military deployment, the court may issue a
27 permanent order on the issues under this section.

Unofficial ✓

Bill

Copy